

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PAUL O'BRIEN,	§	
	§	No. 765, 2010
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and v.
	§	for New Castle County
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID No. 1001001724
Appellee.	§	

Submitted: April 12, 2011

Decided: April 12, 2011

**ORDER**

This 12<sup>th</sup> day of April 2011, it appears to the Court that by notice issued on March 9, 2011, the Clerk directed the *pro se* appellant, Paul O'Brien, to show cause why this appeal should not be dismissed for O'Brien's failure to file the opening brief.<sup>1</sup> The notice to show cause was sent by certified mail to O'Brien's attention at the address he provided in the notice of appeal. The notice to show cause was returned to the Clerk with the notation "return to sender" and "unable to forward." O'Brien has not notified the Clerk of a change of address.<sup>2</sup> Under these circumstances, dismissal of the appeal is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice

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<sup>1</sup> Del. Supr. Ct. R. 29(b).

<sup>2</sup> See Del. Supr. Ct. R. 12(c) (providing that a party appearing *pro se* must designate a mailing address).